

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS OFFICE

2004 JAN 14 SA NO. 03-12635-MLW
P 12:11

JOHN SANCES and KENNETH SANCES,
individually and in their capacity as TRUSTEES
OF THE 305 UNION STREET REALTY TRUST,

Plaintiffs

v.

TOWN OF HOLBROOK, GEORGE JAMESON,
JOHN CALLAHAN, JOHN PAPP, CLIFF JACOB
and JACK CULHANE, individually and as
members of the Holbrook Planning Board, and
DANIEL MORIARTY, individually and as
Building Inspector for the Town of Holbrook,

Defendants

DEFENDANTS' ASSENTED-TO
MOTION TO EXTEND TIME IN
WHICH TO RESPOND TO
COMPLAINT

Now come the defendants, Town of Holbrook, et al. and hereby respectfully request that this Honorable Court extend the time by which they must file their response to the Complaint up to and including February 12, 2003. As grounds therefor, the defendants state as follows:

1. This action was removed to this Court from Norfolk Superior Court on December 31, 2003.
2. As of the date of removal, the Complaint was the only pleading filed. Defendants' response was due on January 12, 2004.
3. On January 6, 2004, plaintiffs' counsel informed defense counsel that he wished to amend the Complaint.
4. In the interest of judicial economy, defense counsel agreed to postpone filing a response to the Complaint so that plaintiffs could file an Amended Complaint without moving the Court to do so.

5. The defendants anticipate that the Amended Complaint will be filed by January 23, 2004, and defendants intend to file their response within 20 days thereafter.

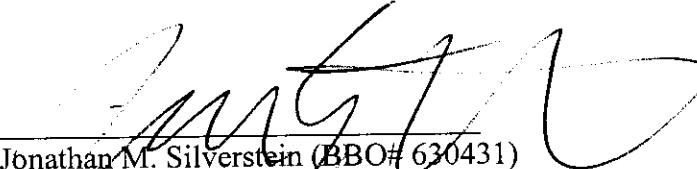
6. Plaintiffs have assented to this motion.

WHEREFORE, the defendants, Town of Holbrook, et al. respectfully request that this Court extend the time by which they must file their response to the Complaint up to and including February 12, 2003.

DEFENDANTS,

TOWN OF HOLBROOK, ET AL.

By their attorneys,



Jonathan M. Silverstein (BBO# 630431)
Jackie Cowin (BBO# 655880)
Kopelman and Paige, P.C.
31 St. James Avenue
Boston, MA 02116
(617) 556-0007

211000/METG/0518